

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ERICSSON INC.,  
TELEFONAKTIEBOLAGET LM  
ERICSSON, ERICSSON AB,

*Plaintiffs,*

V.

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA,  
INC.,

*Defendants.*

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CIVIL ACTION NO. 2:21-CV-00001-JRG  
(LEAD CASE)

CIVIL ACTION NO. 2:21-CV-00010-JRG  
(MEMBER CASE)


## ORDER

Before the Court is the the Joint Motion for Mandatory Stay of Proceedings Pursuant to 28 U.S.C. § 1659 for Patents also being Litigated before the United States International Trade Commission (the “Motion”) filed by Ericsson Inc., Telefonaktiebolaget LM Ericsson, and Ericsson AB (collectively, “Plaintiffs” or “Ericsson”) and Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Defendants” or “Samsung”). (Dkt. No. 28). In the Motion, the parties request that this Court stay the above-captioned action pursuant to 28 U.S.C. § 1659(a) due to the institution of an investigation at the International Trade Commission (“ITC”).

Under 28 U.S.C. § 1659(a) a stay is automatic where, as is here, the ITC investigation involves the same parties and issues. Accordingly, the Court **ORDERS** that the above-captioned case is **STAYED** until further Order of this Court. The parties are **ORDERED** to file a joint notice in this case with attached supporting copies of any dispositive or partially dispositive action by the

ITC. Furthermore, in light of the above stay, the Court hereby **ORDERS** that Member Case No. 2:21-cv-10 is **DECONSOLIDATED** with the above-captioned case.

**So ORDERED and SIGNED this 17th day of February, 2021.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE